

THE UNITED STATES, PLAINTIFF AND APPELLEE, VS. TRANQUI-LINO ALMADÉN AND MARGAEITO GAMBA, DEFENDANTS AND APPELLANTS.

G.R. No. 3575. September 23, 1907

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The accused, prosecuted for brigandage, were chiefs of the pulajan outbreak in Leyte in the early part of the year 1906. Under their joint leadership a band, varying in number from two hundred to two thousand men, wearing as a distinctive uniform a garment or sash or band of red color, armed not only with bolos but with thirty-two rifles, some revolvers, and eight bamboo lantacas, terrorized the country, killing animals, forcing the inhabitants to join their ranks, and in two instances engaging the Constabulary in action, the first at Tambis, where several of the Government troops were killed and some rifles were captured, and the second at Tabongtabong. They professed allegiance to "Papa Ablen," whom at the outset, to the number of about two hundred, they visited in the mountains, where they were told that they might expect to see "The seven churches and all of their ancestors who had died." They did see "Papa Ablen," who blessed them and gave them anting-anting, or charms against bullets.

It appears from the evidence that on one occasion, at least, the defendant Almadén was guilty of a cruel murder. At Tolosa, while the column was halted, he called one Martin Lirios out from his house and, in the presence of his family, asked him if he was the teniente of that barrio and a good man. To this Lirios answered that he was the teniente, but did not consider himself a good man, whereupon the accused, telling the bystanders to get out of the way, shot Lirios, killing him. Thereupon he remarked: "Every person who is worthless shall leave this earth."

There was some evidence tending to bring into question the entire sanity of Margarito Gamba, who was sentenced by the trial court to twenty-five years' imprisonment. There appears to be no palliation of the crime of Tranquilino Almadén. The sentence of the Court of First Instance of Leyte, as to both of the accused, is affirmed, with costs of this instance. So ordered.

Arellano, C. J., Torres, Johnson, and Willard, JJ., concur.

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